

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 9 and 10 are canceled without prejudice in this response. Claims 17-76 were previously canceled. Claims 1-8 and 11-16 are pending in this application.

Allowable Subject Matter

Claim 10 stands allowable if rewritten in independent form, subject to the 35 U.S.C. § 101 rejection. As part of this response, claim 1 has been amended to incorporate the elements of allowable claim 10 and intervening claim 9. Additionally, claim 1 has been amended to be a method claim, which Applicant respectfully submits complies with 35 U.S.C. § 101. Accordingly, Applicant respectfully submits that claim 1, as well as claims 2-8 and 11-16 depending from claim 1, are in condition for allowance.

The Specification

The disclosure stands objected to because of an informality. In the August 25, 2005 Office Action it was indicated that “export statement list portion 758” at p. 49, lines 2 and 4 should be changed so that the reference number is “458”. As part of this response, this reference number at p. 49, lines 2 and 4 has been changed. Applicant respectfully requests that the objection to the disclosure be withdrawn.

Interview Summary

Applicant thanks the Examiner for the telephonic interview of October 24, 2005, at which Examiner Minh Dinh and Allan Sponseller were present. Claims 1-16 were discussed, but no exhibits were shown and no prior art was discussed. Amendments to claim 1 to incorporate allowable claim 10, as well as amendments to convert claims 1-16 to method claims and overcoming the 35 U.S.C. § 101 rejection were discussed. No agreement as to the allowability of the claims was reached.

35 U.S.C. § 101

Claims 1-16 stand rejected under 35 U.S.C. §101. Claims 9 and 10 have been canceled without prejudice. Claims 1-8 and 11-16 have been amended to be method claims, and Applicant respectfully submits that these method claims comply with 35 U.S.C. §101. Accordingly, Applicant respectfully requests that the §101 rejections be withdrawn.

35 U.S.C. § 102 and § 103

Claims 1, 3, 5, 7, 12, and 14 stand rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 5,412,717 to Fischer (hereinafter "Fischer '717"). Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Fischer '717 in view of U.S. Patent No. 5,390,247 to Fischer (hereinafter "Fischer '247"). Claims 4, 6, 8, and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fischer '717 in view of U.S. Patent No. 5,892,904 to Atkinson et al. (hereinafter "Atkinson"). Claim 9 stands rejected under 35 U.S.C.

§103(a) as being unpatentable over Fischer '717 in view of U.S. Patent No. 6,175,924 to Arnold (hereinafter "Arnold"). Claims 15-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fischer '717 in view of U.S. Patent No. 6,105,072 to Fischer (hereinafter "Fischer '072").

Claim 1 has been amended to incorporate the elements of allowable claim 10 and intervening claim 9. Claim 9 has been canceled without prejudice. These amendments and cancellations have been made to expedite issuance of the allowable claims in the present application. These amendments and cancellations are not intended to be, and are not to be interpreted as, an admission that Applicant agrees with the rejections of claims 1-9 and 11-16.

For at least these reasons, Applicant respectfully submits that claims 1-8 and 11-16, as amended, are allowable over the cited references.

Applicant respectfully requests that the §102 and §103 rejections be withdrawn.

Conclusion

Claims 1-8 and 11-16 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

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Respectfully Submitted,

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